

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mark J. RATAIN et al.

Serial No.: 10/591,228

Filed: August 31, 2006

For: POLYMORPHISMS IN THE
EPIDERMAL GROWTH FACTOR
RECEPTOR GENE PROMOTOR

Group Art Unit: 1761

Examiner: Unknown

Atty. Dkt. No.: ARCD:404US

Confirmation No.: 4349

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

July 18, 2007
Date


Gina N. Shishima

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

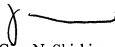
In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the
United States Designated/Elected Office (DO/EO/US), dated April 18, 2007, there are enclosed
herewith:

- (a) Declaration executed by Mark J. RATAIN, Wanqing LIU, and Federico
INNOCENTI;
- (b) A Power of Attorney by THE UNIVERSITY OF CHICAGO;

- (c) Our authorization of payment in the amount of \$500.00 to cover surcharge for late filing (\$65.00); additional claims fee (\$375.00); and one month extension of time fee (\$60.00);
- (d) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (e) A Preliminary Amendment; and
- (f) A Request for Extension of Time of one month to and including July 18, 2007. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

The required fee in the amount of \$500.00 in connection with the filing of this paper are being charged to a credit card through EFS-Web concurrently with this submission. The Commissioner is hereby authorized to deduct any underpayment of fees or any additional fees required under 37 C.F.R. §§ 1.16 to 1.21 in connection with the filing of this paper from Fulbright & Jaworski Deposit Account No.: 50-1212/ARCD:404US.

Respectfully submitted,



Gina N. Shishima
Reg. No. 45,104
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: July 18, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/591,228	FIRST NAMED APPLICANT Mark J. Ratain	ATTY. DOCKET NO. ARCD:404US
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32425
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INTERNATIONAL APPLICATION NO. PCT/US05/06559	
I.A. FILING DATE 03/01/2005	PRIORITY DATE 03/01/2004

CONFIRMATION NO. 4349
371 FORMALITIES LETTER



OC000000023412306

Date Mailed: 04/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/31/2006
- Copy of the International Search Report filed on 08/31/2006
- Preliminary Amendments filed on 08/31/2006
- Biochemical Sequence Diskette filed on 08/31/2006
- Biochemical Sequence Listing filed on 08/31/2006
- Small Entity Statement filed on 08/31/2006
- U.S. Basic National Fees filed on 08/31/2006
- Priority Documents filed on 08/31/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$875** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$940** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 875**
 - **\$400** for 4 independent claims over 3.
 - **\$475** for 19 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,228	PCT/US05/06559	ARCD:404US